

1 ADAM PAUL LAXALT
2 Attorney General
3 Heidi Parry Stern (Bar. No. 8873)
4 Chief Deputy Attorney General
5 State of Nevada
6 Office of the Attorney General
7 555 E. Washington Ave., #3900
8 Las Vegas, NV 89101-1068
9 (702) 486-3594 (phone)
10 (702) 486-2377 (fax)
11 HStern@ag.nv.gov

12 Attorneys for Respondents

13 UNITED STATES DISTRICT COURT

14 DISTRICT OF NEVADA

15 MICHAEL L. SMITH,

16 Petitioner,

17 vs.

18 RENEE BAKER, et al.,

19 Respondents.

20 Case No. 3:13-cv-00246-RCJ-WGC

21 **ORDER GRANTING**

22 **MOTION FOR EXTENSION OF TIME TO
FILE RESPONSE TO SECOND AMENDED
PETITION FOR WRIT OF HABEAS
CORPUS (ECF NO. 44)**

23 **(FIRST REQUEST)**

24 Respondents move this Court for a 60-day enlargement of time, up to and including November
25 8, 2018, within which to file a Response to Petitioner's Second Amended Petition for Writ of Habeas
26 Corpus (ECF No. 44).

27 This is the first enlargement of time sought by Respondents and is brought in good faith and not
28 for the purpose of delay.

29 Respectfully submitted: September 7, 2018.

30 ADAM PAUL LAXALT
31 Attorney General

32 By: /s/ Heidi Parry Stern
33 Heidi Parry Stern (Bar. No. 8873)
34 Chief Deputy Attorney General

DECLARATION OF HEIDI PARRY STERN

STATE OF NEVADA)
COUNTY OF CLARK) ss:

I, HEIDI PARRY STERN, being first duly sworn under oath, depose and state as follows:

1. I am an attorney licensed to practice law in the State of Nevada; qualified and admitted to practice before this Court; employed as a Chief Deputy Attorney General in the Office of the Nevada Attorney General; and pursuant to this employment, I have been assigned to represent Respondents in *Michael L. Smith v. Renee Baker, et al.*, Case No. 3:13-cv-00246-RCJ-WGC, and as such, have personal knowledge of the matters contained herein;

2. That the Response to Petitioner's First Amended Petition for Writ of Habeas Corpus is due to be filed on September 7, 2018.

3. This extension is necessary due to illness requiring me to be out of the office, my recently increased workload, occasioned by the retirement of one of the attorneys in our unit, as well as several upcoming deadlines in the Ninth Circuit, including unanticipated supplemental briefing in a death penalty appeal.

4. Respondents request 60 days to file a response, up to and including November 8, 2018.

5. Due to being out of the office sick, I have not had an opportunity to contact opposing counsel. Based on my extensive previous communications with her, however, I do not anticipate an objection to this request for extension.

6. This is Respondents' first motion for enlargement of time to respond to Petitioner's Second Amended Petition for Habeas Corpus.

7. This motion for enlargement of time is made in good faith and not for the purpose of delay.

FURTHER DECLARANT SAYETH NAUGHT.

DATED this 7th day of September, 2018.

/s/ Heidi Parry Stern
Heidi Parry Stern (Bar. No. 8873)
Chief Deputy Attorney General

IT IS SO ORDERED. DATED:
Nunc Pro Tunc: 09/07/2018.

R. Jones

ROBERT C. JONES

ROBERT C. JONES